

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re Applications of)	
)	
OLE BROOK BROADCASTING, INC.)	File No. BPH-950511MI
)	
and)	
)	
LEOLA D. DICKEY)	File No. BPH-950503MC
)	
For Construction Permit for a New FM)	
Station, Channel 282C3)	
Bude, Mississippi)	

MEMORANDUM OPINION AND ORDER

Adopted: February 17, 2000

Released: February 23, 2000

By the Commission:

1. The Commission has before it a Petition for Review ("Petition") filed February 11, 1999 by Evan Doss, Jr. ("Doss"), as well as an Opposition to the Petition for Review filed March 24, 1999 by Ole Brook Broadcasting, Inc. ("Ole Brook"). Doss requests review of a January 25, 1999 order by the Chief, Audio Services Division, Mass Media Bureau ("Bureau"), granting the Joint Request of Ole Brook and Leola D. Dickey ("Dickey") for Approval of Settlement Agreement, dismissing Dickey's application for a construction permit for a new FM station in Bude, Mississippi,¹ granting Ole Brook's application for a construction permit in Bude,² and denying Doss's informal objections to those actions.³ For the reasons discussed below, the Application for Review is denied.

2. In his Petition, Doss does little more than cite the statutory provisions which give him the right to file his petition and set forth the standards under which such petitions are to be decided. He does not, however, state how those provisions apply to the fact situation before us, nor does he specify with particularity the errors which he claims the Bureau made in deciding this matter as it did. Pursuant to 47 C.F.R. §1.115(b)(1), a party seeking Commission review of an action taken pursuant to delegated authority "shall concisely and plainly state the questions presented for review with reference, where appropriate, to the findings of fact or conclusions of law." Additionally, under 47 C.F.R. §1.115(b)(2), the party seeking review "shall specify with particularity . . . the factor(s) which warrant Commission consideration of the questions presented," from among the five categories enumerated in that subsection. Doss has failed to specify such factors, and gives us no guidance as to the questions presented for review or his contentions regarding any alleged error in the Bureau's decision. *See Application of Sparkling City Communications, Inc.*, 10 FCC Rcd 12220 (1995) (mere statement that "the Commission has misapplied

¹ File No. BPH-950503MC.

² File No. BPH-950511MI.

³ *See Letter from Linda Blair, Chief, Audio Services Division, Mass Media Bureau, to Evan Doss, Jr., Frank R. Jazzo, Esq., and Leola D. Dickey*, Ref. 1800B3-JWR (January 25, 1999).

Commission policy and precedent,” along with reiteration of earlier arguments, did not specify factors mandating review with required particularity).

3. Moreover, having reviewed the Bureau’s decision, we find that it was correct and that there is no basis which warrants reversal.

4. Accordingly, in light of the above discussion, IT IS ORDERED that the Petition for Review filed February 11, 1999 by Evan Doss, Jr., IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Magalie Román Salas
Secretary